

A RESOLUTION  
SIDC-2003-13

**BY THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION ("IDC") AUTHORIZING AN AGREEMENT BETWEEN THE IDC AND TOWER ASSET SUB, INC. FOR THE PURPOSE OF THE REMOVAL OF A COMMUNICATIONS TOWER AND RELATED EQUIPMENT AS PART OF THE IDC'S OBLIGATIONS TO TRANSFER CERTAIN PARCELS OF REAL PROPERTY UNDER THE PROJECT STARBRIGHT AGREEMENT.**

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**WHEREAS**, the City of San Antonio, Texas, Starbright Industrial Development Corporation (the "Corporation"), is an industrial development corporation formed pursuant to the Development Corporation Act of 1979, Texas Revised Civil Statutes Annotated, Article 5190.6, as amended (the "Act"), to aid and act on behalf of the City of San Antonio (the "City") in commercial and industrial development; and

**WHEREAS**, the removal of a communications tower and equipment from certain property is necessary to fulfill the terms and conditions of the Economic Development Contract with the City of San Antonio and pursuant to the Project Starbright Agreement; and

**WHEREAS**, the Board finds that payment of expenses and payment to the owner/operator of the communications tower and equipment, Tower Asset Sub, Inc. of the sum of up to \$300,000 are reasonable and necessary; and

**WHEREAS**, the Corporation's Executive Director should take reasonable and necessary actions to fulfill the previously adopted Economic Development Contract and the agreement with the Toyota Motor Manufacturing North America, Inc. ("Toyota") under which certain assistance would be provided to Toyota to in development of a manufacturing or assembly facility in San Antonio; and

**WHEREAS**, the Board of Directors of the Corporation finds the proposed terms and conditions of the contract to Tower Relocation Agreement are favorable to the Corporation; **NOW THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION:**

**SECTION 1.** The Executive Director and the Treasurer are each authorized to take all necessary actions on behalf of the Corporation to remove the communications tower and equipment owned by Tower Asset Sub, Inc. and to expend funds in amount not to exceed \$300,000 to complete the actions. The actions include but are not limited to the negotiation and execution where appropriate of any and all documents necessary to complete the relocation on terms and conditions substantially conforming to the attached Tower Relocation Agreement.

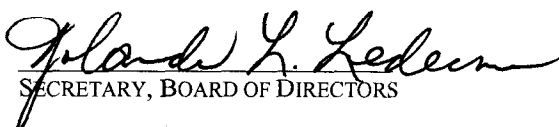
**SECTION 2.** The Corporation hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the Corporation hereby incorporates such recitals as a part of this Resolution.

**THIS RESOLUTION SHALL BECOME EFFECTIVE IMMEDIATELY UPON PASSAGE THEREOF.**

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE CITY OF SAN ANTONIO, TEXAS, STARBRIGHT INDUSTRIAL DEVELOPMENT CORPORATION THIS 13<sup>TH</sup> DAY OF NOVEMBER, 2003.

  
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PRESIDENT, BOARD OF DIRECTORS

ATTEST:

  
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SECRETARY, BOARD OF DIRECTORS